

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

DEVIN RICHARDSON,
Plaintiff,

v.

STATE OF VERMONT,
ANDREW PALLITO,
GREG HALE, BROUILLETTE,
Defendants.

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File No. 1:15-cv-120-jgm-jmc

ORDER

The Magistrate Judge's Report and Recommendation was filed March 17, 2016. (Doc. 34.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

Plaintiff's motion for summary judgment (Doc. 31) is DENIED without prejudice.

This matter is returned to Magistrate Judge John M. Conroy for further proceedings.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 12th day of April, 2016.

/s/ J. Garvan Murtha
Honorable J. Garvan Murtha
United States District Judge